



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Petition of Elaine Cory for Settlement of Accounting and Report of Bruce Bickel
Dated and Served August 21, 2009 and Objections Thereto, and for Order
Compelling Former Trustee James Wagner to Account for Period from April 1, 2007
Through January 31, 2008

Louie Friguglietti DOD: 5-11-06	ELAINE CORY, Beneficiary of the LOUIE FRIGUGLIETTI TRUST dated 9-30-05 and amended 10-4-05 and 10-11-05, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<u>Minute Order 11-29-12:</u> Mr. Curry is appearing by conf. call. Counsel requests a continuance. Matter set for Status Conference on 1-4-13. Counsel is directed to provide notice of the Status Conference to all counsel.
Cont. from 110112, 112912, 010413	Petitioner states the decedent's attorney James F. Wagner was the original trustee and Bruce Bickel is acting as trustee currently. The former trustee provided his "First Account and Report" for the period <u>9-30-05 through 3-31-07</u> . He subsequently resigned as trustee and this Court appointed Bruce Bickel as the successor trustee.	<u>As of 3-8-13, the following issues remain:</u>
Aff.Sub.Wit.		1. Need clarification: Petitioner requests that the Court review and settle an informal accounting that was provided by the trustee to Petitioner informally by fax in 2009. The Court may require authority for such request.
✓ Verified		Examiner notes that the document attached is not the accounting format required by Probate Code §1060 (containing summary, etc.), and is not a verified document or petition by the trustee for approval.
Inventory		2. Need Notice of Hearing.
PTC		3. Need proof of service of Notice of Hearing at least 30 days prior to the hearing pursuant to Probate Code §17203 on:
Not.Cred.		- Colleen Toscano
Notice of Hrg	X	- Bruce Bickel (Trustee)
Aff.Mail	X	- James Wagner (Former Trustee)
Aff.Pub.		4. Need proof of service of Notice of Hearing at least 30 days prior to the hearing on the trustee's bond due to the request for removal and surcharge of the trustee.
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✓ Objections		
Video Receipt		
CI Report		
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Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

SEE ADDITIONAL PAGES

Petitioner specifically objects to the following items in Bruce Bickel's accounting:

- \$1,000.00 for riding lawnmower on 4-3-08 – Petitioner states the property that it was purchased for is a regular city lot with a front yard of approx. 10x30 with no lawn in the back yard, having all fruit trees and grapevines in the back. In addition, \$275.00 paid to Bernie Mesa on 4-23-09 to disc the weeds, \$1,035.00 paid to City of Los Banos for weed abatement, and \$274.00 for weedeater on 8-12-09. Petitioner states the caretaker received payments of approx. \$7,102.60, but did not provide mowing or weeding services. Petitioner is informed and believes there was an operating Ford tractor and disc on the property that were trust assets and should have been used for this maintenance.
- Expenditures of \$800.00 paid to American Express by check #1035 on 7-30-08 are not explained in this report, and absent adequate explanation, should not be approved and the trustee should not be credited with that expenditure.
- Disbursements totaling \$610.11 for telephone bills at a vacant building are objected to as shown on Page 3 of the category detail report.
- Utility expenditures paid to PG&E shown on pages 3 and 4 of the category detail report ranging from \$342-\$572 per month for a vacant building are objected to as unreasonably high and beyond the possible need for keeping utility service in place.
- Expenditures to City of Los Banos for water bills ranging from \$69.05 to \$425.55 are objected to as unreasonably high and not related to trust business for a vacant building when the minimum water and garbage was only \$58.11 at the time.
- Expenditures for bond premium as being unnecessarily high because the bond was retained in an amount higher than was required by the Court, which reduced the bond amount to \$2.9 million on 4-18-08. The premium of \$10,500.00 paid 3-30-08 and again on 2-11-09 reflects that the bond amount must not have been reduced pursuant to the Court's order, and the trustee should be surcharged for payments for the excessive bond.
- \$2,279.00 paid to Allied Insurance on 8-26-08 as unreasonably high, as only general liability insurance was needed by the trust on the 28 acres on Overland Road as there are no structures on the Overland Road property and premium should only have been about \$600.00 for general liability, of which only half should have been paid by the trust as co-tenant. Further, the farm tenant should have the trust listed as an additional insured on his own farm general liability policy, which should have reduced or eliminated the need for this expenditure.
- Petitioner objects to the 7-31-08 property tax bill for farm equipment because the farm equipment was no longer in existence and had been sold prior to this time, and according to the caretaker, Petitioner is informed and believes that the only farm equipment remaining at the time was one small Ford tractor (1950 model) and a disc.
- Petitioner objects to payment of property taxes for parcel 082-050-066 which are strictly for the 10 acres with structures on which beneficiary has no interest in.
- \$12,835.42 for APN 081-110-007 because this payment is for 100% interest in the whole 28 acres and only ½ of the property taxes should have been paid by the trustee out of trust assets, as the other ½ was owned by Colleen Toscano as an individual.

SEE ADDITIONAL PAGES

Page 3

- Petitioner objects to the Trustee's fees and requests that the Court order that the trustee inform the Court how these fees were calculated and provide an itemized statement of time spent and description of task by the trustee rather than the non-descriptive line item shown at pages 5 and 6 of the category detail report.
- It appears to Petitioner from the memorandum that the trustee had not viewed the property at the time of preparation of the accounting and did not know what items belonged to the trust at that time.
- Petitioner objects that the report shows no option payment receipts. If no option payments or extension payments were made when due, then the trustee breached his duty to use reasonable care in management by failing to list the Overland property for sale, thereby unnecessarily permitting the property specifically devised to Petitioner to depreciate during a declining real estate market.
- Petitioner objects that the report does not show that the trustee filed any fiduciary income tax return from May 07-08, 08-09, or any other accounting period if the tax filing period was changed by the trustee.
- Petitioner alleges that the trustee has breached his duty to use reasonable care, skill and caution in protection and management of the trust estate by the foregoing expenditures and actions, and that he has breached his duty of impartiality between trust beneficiaries by charging expenditures to the trust which are for the benefit of Colleen Toscano as an individual co-tenant and by charging expenditures which are solely to benefit trust assets which would pass to Colleen Toscano as part of the residue and charging them against Petitioner's share, who is a specific devisee of the Overland Road property.
- Petitioner alleges that the trustee has breached his duty to act with impartiality between the beneficiaries by actively participating in the litigation of Petitioner's petition to construe the trust on the side of Colleen Toscano, which was solely for the benefit of Colleen Toscano, because regardless of how the Court ruled in the hearing on that petition, the result would have had absolutely no effect on the overall trust corpus and estate, and therefore, his active engagement was solely on behalf of and for the benefit of beneficiary Colleen Toscano and was hostile to and against the interest of Petitioner as beneficiary.

Petitioner prays for an order that:

1. The trustee be required to supplement and explain his informal report and accounting in the particulars set forth herein above;
2. The Court disallow the credits which the trustee claims to be entitled to regarding the disbursements and expenditures objected to herein and that the trustee's fees be surcharged therefor;
3. The trustee file with the Court the itemized statement of time spent with specific description of services rendered for the trustee's fees as shown on the accounting provided to Petitioner, and that the Court disallow all or any portion of said fees that are not shown to be reasonable and for the benefit of the entire trust estate, and that no part of the fees be charged against Petitioner's share except those which are specifically and directly related to the Overland Road property which is the specific devise to Petitioner;
4. The trustee be ordered to reduce the bond amount to comply with the Court's order of 4-19-08 if he has not already done so;
5. The trustee be removed for the reason of his breaches of trust as alleged herein above;
6. The former trustee James Wagner prepare and file an accounting for his actions as trustee from 4-1-07 through 1-31-08; and
7. For such other and further relief as the Court deems proper.

Bruce Bickel filed a Response on 12-28-12 stating the Trust specifically authorized his actions as trustee (§2.11). Respondent states despite the lapse of the statutory time period for contesting the trust, Petitioner without cause contested and attacked the trust. As such, Respondent requests the Court allocate all fees of defense of the trust in the action to Petitioner. Respondent's actions do not show fraud, willful misconduct or gross negligence.

Respondent prays for an Order:

1. Denying and dismissing the Petition;
2. In the alternative, approving the Trustee's actions herein;
3. Charging Petitioner's interest in the Trust with the Trustee's fees in defending against Petitioner's previous petition and the within petition according to proof;
4. Permitting the Trustee to resign within 30 days; and
5. For such other and further relief as the Court deems just and proper.

Atty Walters, Jennifer L. (for Petitioner/conservator Frances Kennedy)

Atty Rindlisbacher, Curtis (court appointed for conservatee)

Status of Accounting

Age: 76 years		FRANCES KENNEDY , conservator, filed the Second Account Current and Report of Conservator and Petition for its Settlement which was heard on 1/4/2011.	NEEDS/PROBLEMS/COMMENTS:
		Minute order from that date does not indicate whether or not the Second account was approved or denied and the order was not signed.	1. Filing fee of \$355.00 for the filing of the Second Account is past due.
Cont. from		Minute order states the court orders that the bond of \$10,000 remain. The debt is added to the lien. The authorization to sell the residence is granted. The Court denies the fee waiver.	2. Need current status report pursuant to Local Rule 7.5.
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			Reviewed by: KT
			Reviewed on: 3/11/13
			Updates:
			Recommendation:
			File 2 - Clover

Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 10-9-07		PUBLIC ADMINISTRATOR was appointed Administrator with Full IAEA without bond and Letters issued on 1-2-08.	NEEDS/PROBLEMS/COMMENTS:
		On 1-30-13, the Court set this status hearing for failure to file an Inventory and Appraisal and a first account or petition for final distribution.	<p>Note: On 6-1-07, the decedent's daughter, Delia Amabisca-Gee, filed a Petition for Letters of Administration with an estimated estate value of \$14,000.00 in personal property.</p> <p>However, the decedent's son, Lee Amabisca, Jr., objected and filed a competing petition on 6-29-07 that indicated real property valued at \$231,000.00 in addition to the personal property.</p> <p>Mr. Amabisca's objection referenced a separate action against Delia Amabisca-Gee for financial elder abuse, etc., in 07CECG01755. At hearing on 10-9-07, the Court appointed the Public Administrator.</p> <p>Nothing has been filed by the Public Administrator since Letters issued; however, the case came to the Court's attention when Delia Amabisca-Gee filed a disclaimer of interest on 1-22-13 and this status hearing was set.</p>
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		Reviewed by: skc Reviewed on: 3-8-13 Updates: Recommendation: File 3 - Amabisca	

**Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File a
First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)**

DOD: 3/8/2006		<p>ARACELI SOTO GOMEZ was appointed Administrator without bond with full IAEA authority on 7/27/2009.</p> <p>Letters issued on 7/27/2009.</p> <p>Inventory and appraisal was due 12/27/2009.</p> <p>First Account or Petition for Final Distribution was due 7/27/2010.</p> <p>Notice of Status Hearing was mailed to attorney Robert W.M. Cross and administrator Araceli Soto Gomez on 9/6/12.</p> <p>Status Report filed 11/8/12 states they are not yet able to furnish the court with an inventory and appraisal. They are requesting a continuance for at least a month to allow sufficient time to complete both the inventory and appraisal and to filing accounting report.</p> <p>I&A filed 12-4-12 reflects a total estate value of \$68,035.00 consisting of a 1/3 interest in real property, various personal property items, and three vehicles.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 11-9-12, 12-14-12, 2-1-13</u></p> <p><u>Status Report filed 12-12-12</u> states Attorney Cross has only a few days ago learned of a title problem which he is in the process of addressing. Apparently after the decedent's divorce in 1983, the decedent was awarded the property; however, because the judgment does not contain a full property description or even the APN, there is no record of transfer to the decedent alone. It appears application will need to be made in the dissolution action to either modify the judgment or have the clerk sign a deed conveying title in accordance with the judgment. Attorney Cross is unable to attend the hearing on time, and requests the matter be trailed, or preferably, continued to any date between Jan 15-Feb 15, 2013.</p> <p><u>Minute Order 2-1-13:</u> Counsel informs the Court that he is working on getting the title cleared. Counsel is directed to submit a status report.</p> <p>As of 3-8-13, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution or current written status report pursuant to Local Rule 7.5.</p>
Cont. from 110912, 121412, 020113			
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Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 8-29-08		<p>DIANE PICKERING was appointed Executor with Full IAEA without bond and Letters issued on 1-13-09.</p> <p>On 1-26-12, the Court set status hearing for failure to file a First Account or Petition for Final Distribution.</p> <p>Minute Order 3-14-12: Counsel advises the Court that there is an insurance issue that he is trying to resolve.</p> <p>Minute Order 5-2-12: Matter continued to 6-20-12. Counsel is directed to file the required items by 6-20-12.</p> <p>Minute Order 6-20-12: Matter set for status on 9-21-12.</p> <p>Minute Order 9-21-12: No appearances. The Court sets the matter for an Order to Show Cause regarding failure to appear and imposition of sanctions in the amount of \$450.00. Sheldon Feigel is ordered to be personally present on 9-28-12.</p> <p>Minute Order 9-28-12: Counsel advises the Court that he is waiting on the assets from the estate. The Order to Show Cause is dismissed.</p> <p><u>As of 3-8-13, nothing further has been filed.</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>As of 3-8-13, nothing further has been filed. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal. 2. Need First Account Current or Petition for Final Distribution pursuant to Probate Code §12200. <p>Note: The original petition indicated an estimated estate value of \$130,000.00 in personal property.</p> <p>Note: Decedent's will devises the entire estate to The Mildred Pearl Rancilio Living Trust.</p>
<p>Cont. from 031412, 050212, 062012, 092112, 092812</p>			
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		<p>Reviewed by: skc</p> <p>Reviewed on: 3-8-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Rancilio</p>	

DOD: 09/03/09		<p>TERESA GOODING, daughter, was appointed Administrator with Limited IAEA Authority and funds held in a blocked account on 02/02/11.</p> <p>Letters of Administration were issued on 02/03/11.</p> <p>Receipt and Acknowledgement of Order for the Deposit of Money into Blocked Account filed 03/01/11 states funds in the amount of \$73,995.14 were deposited with Umpqua Bank on 02/25/11.</p> <p>Corrected Final Inventory & Appraisal filed 12/07/12 - \$92,328.14</p> <p>Status Report filed 1-25-13 states an order was made on 12-4-12 passing certain property to the estate and other parties. There have been discussions regarding the other parties buying out the interest of the estate, but no agreement has been reached. It is estimated that administration will need to continue for 4-6 months to get the property sold.</p> <p>Minute Order from Status Hearing Re Filing of First Accounting of Petition for Final Distribution dated 01/28/13 set this matter for status and states: Mr. Rindlisbacher is to give notice to the other parties.</p> <p>Status Report filed 02/13/13 states: The estate is not in a position to be closed. The Estate of Norma Sanchez owns a 1/3 interest in real property. Two other people own the other 1/3 interests in the property. The other two owners are represented by Linda Durost. Her office has stated that they are meeting with their client next Tuesday to discuss the sale of the property among other things. Until Ms. Durost meets with her clients, the Administrator does not know whether her clients will cooperate with the sale of the real property. A Petition for Preliminary Distribution has been prepared which will request court approval of the accounting, partial allowance of statutory fees and partial distribution of the sum of \$40,500.00. A Petition for final distribution should not be filed until the real property has sold to avoid distribution in undivided interests. The Administrator will file a partition action to request the appointment of a referee to sell the real property. It is estimated that the administration will need to continue another 4 to 6 months to get the property sold. Because the Administrator does not have full authority under IAEA, she will have to seek court permission to list the property and will have to return any proposed sale to the court for approval.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>Report of Administrator and Petition for Preliminary Distribution set for hearing on 03/27/13</p>																																												
<p>Cont. from 021513</p> <table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>				Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		Status Rpt		UCCJEA		Citation	
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		<p>Reviewed by: JF</p> <p>Reviewed on: 03/08/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Sanchez</p>																																													

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq)

DOD: 09/03/07	<p>ROSARIO GUIZAR, sister, was appointed Administrator with full IAEA and bond set at \$70,000.00 on 04/15/10. Bond was filed on 10/15/10 and Letters were issued on 10/15/10.</p> <p>Inventory & Appraisal filed 11/03/10 shows an estate value of \$70,327.73.</p> <p>Notice of Status Hearing filed 10/19/12 set this matter for status. Clerk's certificate of mailing states that the Notice of Status Hearing was mailed to Edward L. Fanucchi on 10/19/12.</p> <p>Minute order dated 12/14/12 states Counsel informs the Court that there may be a stepson whom they've been unable to find. The Court indicates to counsel that an accounting will be to be filed by the next hearing as well as a declaration as to what is being done to locate the heir and bring this matter to closure.</p> <p>Status Report filed on 2/6/13 states the Administrator Rosario Guizar is currently having a skip trace performed by First Legal Network in an attempt to locate the stepson. The family has had no contact with him in years past. The paralegal is hopeful to have additional information by the end of February 2013.</p> <p>Skip Trace Report on Juan Garza filed on 3/5/13 states they were unable to locate Juan Garza.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Account and Petition for Final Distribution or current status report pursuant to Local Rule 7.5.</p>
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Reviewed by: KT
Reviewed on: 3/11/13
Updates:
Recommendation:
File 7 - Garcia

Status of Mom's Employment

Age: 13 years		STEPHANIE LASSLEY , Mother, was appointed Guardian of the Estate on 6/8/10 with all funds to be placed in a blocked account. Letters issued on 6/8/2010. <i>Inventory and appraisal filed on 1/4/11 shows the estate value at \$676,276.36. (First account was for the account period ending 6/8/11 is now due.)</i>	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 01/10/12</u> See Page9 for a related matter. 1. Need amended Order correcting bank account number.																																												
Cont. from 091211, 011012, 022112, 091012		Background: On 11/24/10, Mother ("Guardian") filed a Petition for Order Authorizing Minor's support from Estate Despite Liability of Others, stating: <ul style="list-style-type: none"> Guardian has returned to school to get her teaching credential through National University, and she works part time as a substitute teacher; When she works, she earns \$90.00 per day or \$45.00 per half day; In order to receive her teaching credential, Guardian will have to student teach for one year and will therefore be unable to work for that year; If Guardian is able to continue as scheduled, she is hoping to secure a job by the end of the 2012 school year, however this is not guaranteed. Guardian's Petition requested an order: authorizing the Guardian to support and maintain the minor out of the estate to the extent of \$700.00 per month to be paid to the Guardian, for assistance with living costs until further order of the court, commencing on July 1, 2010 (the date upon which the court authorized distribution of the Estate of Shane W. Lassley, Case no. 09CEPR00554), for a total amount of \$2,800.00 for the period of 7/1/10 to 10/31/09; and thereafter pay Stephanie Lassley the amount of \$700.00 per month. 																																													
<table border="1"> <tr><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>Order</td><td></td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>✓ Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>				Aff.Sub.Wit.		Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		Pers.Serv.		Conf. Screen		Letters		Duties/Supp		Objections		Video Receipt		CI Report		9202		Order		Aff. Posting		✓ Status Rpt		UCCJEA		Citation	
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Citation																																															
FTB Notice																																															
		The Petition was heard on 1/24/11. Minute Order dated 1/24/11 states: The Court Grants the Petition and orders that the sum of \$700.00 be paid until further order of the Court. Order is retroactive as of 7/1/10.																																													
		Status report re Mom's Employment filed 03/06/13 states: The mother is currently working part time at Fremont Elementary as a reading intervention tutor. Additionally, she is completing her second year of BTSA, which is a mandatory Beginning Teaching Program. She should have her Multiple Subject credential by the beginning of next year. In January 2013, she took the CSET-English Test, but only passed 2 out of 4 subtests. She needs to pass all 4 subtests before she can take her last class to fulfill a Secondary Credential in English so that she can teach high school English. She will be retaking the two tests she did not pass in May. Olivia is a 7 th grader at Alta Sierra Intermediate School and continues to get straight A's. With her current schedule, Stephanie (mom) is able to pick up and drop off the girls from school, which is in their best interest. Ms. Lassley urges the court to continue the family support she receives, but requests that the amount be reduced to \$650/month beginning January 2013 due to a reduction in the monthly income Olivia receives. Further, Ms. Lassley states that an error on the account number listed in the Court order from January 2011 has recently been discovered. It is requested that the Court sign a new order with the correct account number so that the mother can receive payment in the amount of \$700.00 for November & December 2012 and at a rate of \$650/month beginning January 2013.																																													
		Reviewed by: JF Reviewed on: 03/08/12 Updates: Recommendation: File 8 - Lassley																																													

Status of Mom's Employment

Age: 14 years		<p>STEPHANIE LASSLEY, Mother, was appointed Guardian of the Estate on 6/8/10 with all funds to be placed in a blocked account. Letters issued on 6/8/2010.</p> <p><i>Inventory and appraisal filed on 1/4/11 shows the estate value at \$676,276.36. (First account was for the account period ending 6/8/11 is now due.)</i></p> <p>Background:</p> <p>On 11/24/10, Mother ("Guardian") filed a Petition for Order Authorizing Minor's support from Estate Despite Liability of Others, stating:</p> <ul style="list-style-type: none"> Guardian has returned to school to get her teaching credential through National University, and she works part time as a substitute teacher; When she works, she earns \$90.00 per day or \$45.00 per half day; In order to receive her teaching credential, Guardian will have to student teach for one year and will therefore be unable to work for that year; If Guardian is able to continue as scheduled, she is hoping to secure a job by the end of the 2012 school year, however this is not guaranteed. Guardian's Petition requested an order: authorizing the Guardian to support and maintain the minor out of the estate to the extent of \$700.00 per month to be paid to the Guardian, for assistance with living costs until further order of the court, commencing on July 1, 2010 (the date upon which the court authorized distribution of the Estate of Shane W. Lassley, Case no. 09CEPR00554), for a total amount of \$2,800.00 for the period of 7/1/10 to 10/31/09; and thereafter pay Stephanie Lassley the amount of \$700.00 per month. <p>The Petition was heard on 1/24/11. Minute Order dated 1/24/11 states: The Court Grants the Petition and orders that the sum of \$700.00 be paid until further order of the Court. Order is retroactive as of 7/1/10.</p> <p>Status Report Re Mom's Employment filed 03/06/13 states: The mother is currently working part time at Fremont Elementary as a reading intervention tutor. Additionally, she is completing her second year of BTSA, which is a mandatory Beginning Teaching Program. She should have her Multiple Subject credential by the beginning of next year. In January 2013, she took the CSET-English Test, but only passed 2 out of 4 subtests. She needs to pass all 4 subtests before she can take her last class to fulfill a Secondary Credential in English so that she can teach high school English. She will be retaking the two tests she did not pass in May. Gracie is a Freshman honor student at Buchanan high school. With her current schedule, Stephanie (mom) is able to pick up and drop off the girls from school, which is in their best interest. Ms. Lassley urges the court to continue the family support she receives, but requests that the amount be reduced to \$650/month beginning January 2013 due to a reduction in the monthly income Olivia receives. Further, Ms. Lassley states that an error on the account number listed in the Court order from January 2011 has recently been discovered. It is requested that the Court sign a new order with the correct account number so that the mother can receive payment in the amount of \$700.00 for November & December 2012 and at a rate of \$650/month beginning January 2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 01/10/12</p> <p>See Page 5 for a related matter.</p> <p>1. Need amended Order correcting bank account number.</p>
Cont. from 091211, 011012, 022112, 091012			
Aff.Sub.Wit.			
Verified			
Inventory			
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Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 06/24/10		<p>ROGER ROWELL and DAVID E. ROWELL, were appointed as Co-Administrators with Full IAEA without bond on 02/17/11. Letters were issued on 02/17/11.</p> <p>On 10/21/11, David E. Rowell resigned as Co-Administrator. New Letters were issued to Roger Rowell as the sole Administrator on 11/01/11.</p> <p>Inventory & Appraisal filed 11/29/11 shows an estate value of \$289,000.00 (1/7th of a 40% interest in real property).</p> <p>On 10/17/12, Thomas Markeson, filed a Motion to be Relieved as Counsel stating that there was a conflict regarding the administration of the estate which has made it impossible for him to continue representing Mr. Rowell in this matter.</p> <p>Order granting Attorney's Motion to be Relived as Counsel filed 11/26/12 relieved Mr. Markeson as counsel for Roger Rowell and set this matter for status re filing of the Accounting and Petition for Final Distribution. The Court also directed counsel to provide notice to Mr. Rowell regarding the filing of the account and/or petition for final distribution.</p> <p>Notice of Entry of Order Granting Attorney's Motion to be Relieved as Counsel filed 11/27/12 states that the Notice with a copy of the Order relieving Mr. Markeson as counsel was mailed to Roger Rowell and David Rowell on 11/27/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/08/13</u> Minute Order from 02/08/13 states: No appearances. The Court notes for the minute order that at the last hearing Roger Rowell was present and indicated that he would be retaining new counsel. The Court removes Roger Rowell and David Rowell as the administrators and appoints the Public Administrator.</p> <p>Letters of Administration were issued to the Public Administrator on 03/01/13.</p> <p>1. Need Accounting and/or Petition for Final Distribution.</p>
Cont. from 121412, 020813			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 03/08/13
Updates:
Recommendation:
File 10 - Rowell

DOD: 3/15/11		<p>TIMOTHY JOHNSON was appointed Administrator with Will Annexed, with full IAEA authority and bond set at \$80,000 on 12/15/2011.</p> <p>Bond was filed on 2/24/12 and Letters issued.</p> <p>I & A filed 4/26/12 show the estate valued at \$145,000.00</p> <p>Notice of Status Hearing for failure to file a first account or petition for final distribution was mailed to attorney Edward Fannuchi on 1/14/13.</p> <p>Unverified Status Report of Attorney Fannuchi filed 2/20/13 states the real property belonging to the estate is currently in escrow. The property was to close escrow on or after 1/30/13, The close of escrow has been delayed while the City of Fresno prepares a report on the property whether or not the property has to be hooked up to city water, or if the potential buyer can drill a new water well on the property. The City's report and decision is due between 2/13 and 2/22, 2013. If the report is not received by the latter date, another extension of the escrow and additional non-refundable deposit will be made by the buyer.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3/1/13. Minute order states Counsel is informed that an accounting is still needed.</p> <p>1. Need first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 030113			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
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Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 3/11/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Johnson</p>	

DOD: 2-24-12		KENNETH ROBERTS , Father, was appointed Administrator with Full IAEA with bond of \$20,000.00 on 10-18-12.
		At hearing on 10-18-12, the Court set this status hearing for filing of the Inventory and Appraisal.
	Aff.Sub.Wit.	
	Verified	
	Inventory	Bond was filed on 2-22-13; however, Letters have not issued.
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

NEEDS/PROBLEMS/COMMENTS:
1. Need Letters.
2. Need Inventory and Appraisal.
3. Joanne Sanoian, attorney for Christina Roberts, Trustee of the Jennifer Roberts Special Needs Trust, filed a Request for Special Notice on 2-19-13. If this matter is continued, need proof of service of Notice of Hearing pursuant to the Request for Special Notice.
(Jessica Roberts is the decedent's daughter.)
Reviewed by: skc
Reviewed on: 3-8-13
Updates:
Recommendation:
File 13 - Roberts

Age: 19	KENNETH ROBERTS , grandfather, was appointed Conservator of the Estate without bond on 08/06/12 and Letters were issued on 08/17/12.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 100212, 112712, 010413, 020113	Minute Order from hearing on 08/06/12 set this matter for status regarding filing of the Inventory & Appraisal.	<u>OFF CALENDAR</u> I & A filed 02/01/13
Aff.Sub.Wit.	Clerk's Certificate of Mailing filed 11/30/12 shows that a copy of the minute order dated 11/27/12 was mailed to Larry Donaldson on 11/30/12.	Reviewed by: JF Reviewed on: 03/08/13 Updates: Recommendation: File 14 – Roberts
Verified		
Inventory	x	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6-16-12		<p>MARY LEIGH JORGENSEN, Daughter, was appointed Administrator with Full IAEA without bond on 9-4-12. Letters issued 9-7-12.</p> <p>At the hearing on 9-4-12, the Court set this status hearing for the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 2-1-13</u></p> <p>Minute Order 2-1-13: Counsel advises the Court that a status declaration was faxed to the examiner. Counsel further advises that the inventory and appraisal was sent to the Probate Referee on Monday.</p> <p><i>Note: Communications with the Probate Examiner do not constitute filing of documents or any official court record. Original status reports must be filed via normal procedure at the clerk's office.</i></p> <p>As of 3-8-13, nothing further has been filed.</p> <p>1. Need Inventory and Appraisal.</p>
Cont from: 020113			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 1-28-13	
		Updates:	
		Recommendation:	
		File 16 - Storey	

DOD: 7-3-11		BARBARA R. MORGAN , Mother, was appointed Administrator with Full IAEA without bond and Letters issued on 10-11-12. At the hearing on 10-11-12, the Court set this status hearing for filing of the Inventory and Appraisal.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal.	
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 3-8-13				
Updates:				
Recommendation:				
File 17 - Shaver				

Age: 8		AMY TAYLOR and TOBY TAYLOR , Sister and Brother-in-Law, were appointed Co-Guardians of the Person and Estate on 10-2-12. Letters issued on 10-3-12	NEEDS/PROBLEMS/COMMENTS:
Cont. from 111612, 1-4-13, 020113		At hearing on 10-2-12 , the Court signed an Order to Deposit Money Into Blocked Account for all proceeds and set this status hearing for the filing of the receipt of funds in the blocked account.	<p>Note: Page 18B is the status hearing originally set for filing the I&A.</p> <p>Minute Order 11-16-12: Mr. Roberts is appearing via conference call. Mr. Roberts informs the court that the funds are currently with MetLife and they have placed the funds in their own blocked account. Continued to 1-4-13.</p> <p>Minute Order 1-4-13: No appearances. Matter continued to 2-1-13. The Court orders Greg Roberts to be personally present on 2-1-13. If the receipt for the blocked account is filed before the next hearing, no appearance will be necessary. A copy of the minute order was mailed to Attorney Greg Roberts on 1-4-13.</p> <p>Minute Order 2-1-13: Counsel informs the Court that he has not received any money from MetLife.</p> <p><u>As of 3-8-13, nothing further has been filed.</u></p> <p>1. Need receipt for blocked account.</p> <p>Note: Pursuant to Declaration filed 9-28-12, an account at MetLife containing \$21,201.16 was issued.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc Reviewed on: 3-8-13 Updates: Recommendation: File 18A - Camp	

Age: 8	AMY TAYLOR and TOBY TAYLOR , Sister and Brother-in-Law, were appointed Co-Guardians of the Person and Estate on 10-2-12. Letters issued on 10-3-12 At hearing on 10-2-12 , the Court signed an Order to Deposit Money Into Blocked Account for all proceeds and set status hearings for the filing of the receipt of funds in the blocked account (Page 18A) and this hearing for the filing of the Inventory and Appraisal (Page 18B).	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal per Probate Code §2610.
Cont from 020113		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt X		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 3-8-13		
Updates:		
Recommendation:		
File 18B - Camp		

Atty Beebe, James Kern (pro per – father/Co-Guardian of the Estate)

Atty Beebe, Yvette Renee (pro per – mother/Co-guardian of the Estate)

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 9		<p>JAMES BEEBE and YVETTE BEEBE, parents, were appointed Co-Guardians of the Estate on 10/03/12. Letters were issued on 10/03/12.</p> <p>Receipt & Acknowledgment of Order for the Deposit of Money into Blocked Account filed 11/30/12 - \$9,707.24 deposited on 09/28/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory & Appraisal.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory	x		
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 03/11/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 19 - Beebe</p>			

Atty Beebe, James Kern (pro per – father/Co-Guardian of the Estate)

Atty Beebe, Yvette Renee (pro per – mother/Co-guardian of the Estate)

Status Hearing Re: Filing of the Inventory and Appraisal

Age: 8		<p>JAMES BEEBE and YVETTE BEEBE, parents, were appointed Co-Guardians of the Estate on 10/03/12. Letters were issued on 10/03/12.</p> <p>Receipt & Acknowledgment of Order for the Deposit of Money into Blocked Account filed 11/30/12 - \$9,707.24 deposited on 09/28/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory & Appraisal.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory	X		
PTC			
Not.Cred.			
Notice of Hrg			
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Video Receipt			
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Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 03/11/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 - Beebe</p>			

Status Hearing Re: Filing of the Inventory and Appraisal

[illegible]

